

REMARKS

Claims 2-13 and 15-23 were pending. Claims 22 and 23 are canceled and claim 21 is amended herein, all without prejudice and without acquiescence. Support for amendment to claim 21 is at least on page 13, lines 18 through 24 and Example 7 of the specification. No new matter is entered herein.

Applicants acknowledge the Examiner's notation on page 1 of the Action that claims 2-13 and 15-20 are allowed.

I. Issues Under 35 USC § 112, second paragraph

A. Claim 22

Claim 22 was rejected under 35 USC § 112, second paragraph, and the rejection was maintained for reasons of record.

Claim 22 is canceled herein, and Applicants respectfully request withdrawal of the rejection.

B. Claims 21-23

Claims 21-23 were rejected under 35 USC § 112, second paragraph, for allegedly being incomplete for omitting essential steps. Claims 22-23 are canceled herein.

Applicants do not necessarily agree with the rejection but solely to further the prosecution of this case have amended claim 21 to encompass correlating a comparison with ascertaining the stage of the infection.

Applicants respectfully request withdrawal of the rejection.

II. Double Patenting

The Examiner noted on page 3 of the Action that claim 22 had subject matter that would be considered to be double patenting over claim 21. Claim 22 is canceled herein, and Applicants respectfully request withdrawal of the rejection.

III. Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response other than that provided herewith. However, if a fee is due or deficient, please charge our Deposit Account No. 06-2375, under Order No. HO-P03388US0 from which the undersigned is authorized to draw.

Dated: September 8, 2011

Respectfully submitted,

By____/Melissa L. Sistrunk/____
Melissa L. Sistrunk
Registration No.: 45,579
FULBRIGHT & JAWORSKI L.L.P.
Fulbright Tower
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
(713) 651-5151
(713) 651-5246 (Fax)
Agent for Applicant